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7 RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA

FILED

JUN 28 2006

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

10 UNITED STATES OF AMERICA
11 CALIFORNIA,

No. CR 3-06-70267

12 Plaintiff,

STIPULATION RE
RESCHEDULING OF
PRELIMINARY HEARING

14 SALVATORE ASARO,

15 Defendant.

17 Both parties hereby stipulate that the preliminary hearing in the above-
18 referenced case, scheduled for Thursday, June 29, 2006, at 9:30 a.m. before the Duty
19 Magistrate may be vacated and the matter rescheduled for Thursday, August 3, 2006, at
20 9:30 a.m. Both parties waive time for the conduct of the preliminary hearing.
21

22 Dated: June 28, 2006.

23 /
24 PAUL F. DeMEESTER
25 Attorney for Mr. Asaro

Susan Jerich
An. SUSAN R. JERICHE by PRDM
Assistant United States Attorney

ORDER

Good cause having been shown, IT IS HEREBY ORDERED that the preliminary hearing date of June 29, 2006, is vacated, and the matter rescheduled for August 3, 2006, at 9:30 a.m.

IT IS SO ORDERED.

DATED: June 28, 2006.

NANDOR J. VADAS
United States Magistrate Judge

DECLARATION OF COUNSEL

I, PAUL F. DeMEESTER, say that:

I am the attorney of record for defendant SALVATORE ASARO, in the above-mentioned action, and as such am thoroughly familiar with the case.

Both sides are amicably working out the obtaining by the defense of discovery materials, a task rendered more complex due to technical needs of computer hardware and software, and due to the need to provide for protective orders during this process.

It is necessary to allow additional time to complete this process. A rescheduling of the status hearing is therefore requested.

I declare under penalty of perjury that the foregoing is true, except as to those matters stated on belief, and as to those, I believe them to be true. Executed at San Francisco, California, on June 28, 2006.

PAUL F. DeMEESTER
Attorney for Mr. Salvatore Asaro

*Smith & DeMeester
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**Paul F. DeMeester
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**Malcolm A. Smith
415/861-5294**

Date: June 28, 2006

To: Ms. Brenda Tolbert, Clerk to the Hon. Maria-Elena James, Magistrate Judge,
United States District Court

From: Paul F. DeMeester; attorney for Mr. Salvatore Asaro in *United States v. Salvatore Asaro*; Criminal Complaint No. 3-06-70267 JL

Pages, including this cover: 3

Re: Stipulation re rescheduling of June 29, 2006 court date.

COMMENTS: My cell phone is (415) 305-7280.

Thanks.

~~SMITH & DeMEESTER
By: Paul F. DeMeester~~

FILED

JUN 26 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA